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Attorney for: Santander Consumer USA Inc.

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

In re: ) Case No. 19-31640(MBK)  
 )  
JOAO GOMES ) Chapter 13  
SILMA GOMES )  
 ) Hearing date: 1-8-20  
 )  
 ) AMENDED OBJECTION TO CONFIRMATION  
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Santander Consumer USA Inc. ("Santander") a secured creditor of the debtor, objects to the debtor's plan for the following reasons:

a. **PLAN SILENT; 910 CLAIM:** Santander has a first purchase money security interest encumbering 2017 AUDI S3 purchased by Joao Gomes on 9-27-19, just 49 days prior to filing. The term of the loan exceeds the length of the plan. The plan is silent as to Santander and should be amended to state that Santander is unaffected by the plan, will retain its lien on the vehicle after confirmation, and if the plan completes and the debtor receives a discharge before the retail installment contract with Santander is paid in full according to its

terms, the debtor's obligations under the retail installment contract will not be discharged.

- b. **Proof of insurance:** Santander requests that the debtor provide it with proof that the vehicle is insured as required by 11 U.S.C. 1326(a)(4).
- c. **Lien retention:** Santander must retain its lien on the vehicle until its claim is paid in full by the debtor, outside the plan in accordance with the terms of the retail installment contract encumbering the vehicle with contract rate of interest.
- d. **Good Faith:** Santander reserves the right to object to the good faith of this filing.

/s/ John R. Morton, Jr.  
John R. Morton, Jr., attorney for  
Santander Consumer USA Inc.

Dated: 12-27-19